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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,139	12/12/2001	Jari Syrjarinne	944-001.57	4149
4955	7590	02/24/2004	EXAMINER	
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			MULL, FRED H	
			ART UNIT	PAPER NUMBER
			3662	

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/016,139

Applicant(s)

SYRJARINNE ET AL.

Examiner

Fred H. Mull

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2003 and 13 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

35 USC § 112 6th Paragraph

The following is a quotation of the sixth paragraph of 35 U.S.C. 112:

An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

1. Claims 4-8 are interpreted by the examiner as invoking 35 USC 112 6th paragraph (means plus function). See MPEP § 2181-2186.

Petition

2. A decision of the Petition to Expunge filed January 14, 2003 will be made at the time of allowance of this application. Applicant should include a reminder of the existing petition in his response to this action.

Response to Arguments

3. Applicant's arguments on p. 5-7, with respect to the rejection(s) of claim(s) 1-8 over Lin in view of Lau '173 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made over Lin in view of Rodal, previously cited.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Rodal, previously cited.

In regard to claims 1, 4, and 7, Lin discloses a GPS IMM, i.e. performing at least a predetermined number of solutions of the state of motion of the receiver using a filter solution based on a mix of models of the motion of the receiver, a mix that is varied from one solution to the next according to a predetermined criteria, and of providing the model mix used in each solution (Sections 2.1 and 3.2; Fig. 1). Lin fails to disclose powering down modules for a period of time.

Rodal discloses adopting a partial duty cycle indicating a percentage of time selected receiver components are power off, wherein at least a predetermined number of solutions of the state of motion of the receiver is performed at least once during the time in the partial duty cycle when the selected received components are off (col. 1, line 66 to col. 2, line 67).

Rodal teaches the desirability of power savings through a standby mode in a typical GPS receiver (column 1, line 46-59). Lin teaches that a typical GPS receiver uses an extended Kalman filter (p. 4-1911, column 2, 1st full paragraph). Lin further teaches that to calculate position using his GPS IMM method, the receiver is required to handle double the computational burden of the typical extended Kalman filter method.

Since power saving is desirable on GPS receivers in general, and Lin's GPS receiver requires extra power to perform twice as many calculations, it would be obvious to one of ordinary skill in the art to equip the receiver of Lin with a known power-saving system, such as the power-saving standby mode of Rodal.

In regard to claims 2-3 and 5-6, Rodal further discloses an RF front end and baseband processor module where said selected components include the RF front end or RF front end and baseband processor module (col. 1, line 66 to col. 2, line 67).

In regard to claim 8, it is well known to provide a computing resource external to the receiver for assisting in system calculations, which also saves mobile battery power. (See below.)

5. The examiner also finds the following references, previously cited, relevant:

Krasner (Method 3, column 4-5), Harrison '218, and Harrison '887, which disclose GPS power-saving standby modes which use external assistance.

Chen and Syrjarinne, which disclose GPS IMM systems.

Applicant is encouraged to consider these documents in formulating their response (if one is required) to this action, in order to expedite prosecution of this application.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred H. Mull whose telephone number is 703-305-1250. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza can be reached on 703-360-4171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred H. Mull
Examiner
Art Unit 3662

fhm



THOMAS H. TARCZA
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